

**Notice of Allowability**

Application No.

10/639,940

Examiner

Tadesse Hailu

Applicant(s)

CHANG, PETER H.

Art Unit

2173

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the AMENDMENTS submitted April 25, 2007.
2. ☒ The allowed claim(s) is/are 1-7 and 11-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

**Examiner's Statement of Reasons for Allowance**

1. The Office action is in response to the Amendment submitted April 25, 2007 for the above-identified application.
2. The following is an examiner's statement of reasons for allowance: After careful review of the current claimed invention in view of the prior art of records, the examiner acknowledges that claims 1-7 and 11-17 are allowed.

The current invention:

The current invention relates in general to systems and methods for enabling ordinary users of computers to generate their own menus, and in particular systems and methods for enabling ordinary users to create and update their own customized menu system which has a main menu and, if desired, multiple levels of submenus, each with multiple items, each with the ability to launch programs, automatically open selected files and/or execute certain commands associated with those launched programs (Field Of The Invention).

Ezekiel et al US Pat No. (5,625,783):

Similarly, Ezekiel, the main reference, provides a method and system by which a computer can automatically and dynamically construct user interface menus "on the fly" during execution of a program. For example, the computer can reconfigure displayed menus responsively to a change in the operating mode of the program or selection of a new active window type. Furthermore, the invention provides seamless integration of new menu items into an existing set of menus when new software components are

added to an existing program. Thus the invention facilitates the development of add-on software for application programs (Ezekiel, Summary Of the Invention).

Consequently when it comes to the current claimed subject matter of claims 1 and 12, Ezekiel discloses a method, computer program product and system by which a computer can automatically and dynamically construct user interface, a complete menu hierarchy including a menu bar, menus, and submenus, if any, in which the commands form the various command tables. Furthermore Ezekiel discloses the claimed first, second, third and fourth components. Ezekiel, however, fails to teach a menu generation system as claimed in claim 1, wherein *"a fifth component operable to permit a user to prepare directories to be merged, copy menu files which have identical names, and merge directories recursively; and a component operable for tracking creations of files in a plurality of local activity summary files and in a global activity summary file"*. Ezekiel also fails to teach a menu generation system as claimed in claim 12, *"wherein the program is operable to flattens a directory tree structure by using menus and submenus to represent relationships among directories and their subdirectories."* The rest of the prior art of records also fails to teach the above limitations.

Thus, the prior art of records neither anticipates nor renders the combination of claimed elements in light of the specification, therefore the pending claims 1-7, and 11-17 are allowed.

Art Unit: 2173


### CONCLUSION

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
4. Information regarding the status of an application may be obtained from the patent application information retrieval (PAIR) system. Status information for published application may be obtained from either Private –PAIR or Public-PAIR. Status information for unpublished applications is available through Private-PAIR only. For more information about the PAIR system, please see [pair-direct.uspto.gov](http://pair-direct.uspto.gov) web site. Should you have questions regarding access to the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.

Examiner Tadesse Hailu

Art Unit 2173 – Operator Interface

5/15/07

  
TADESSE HAILU  
PRIMARY EXAMINER